Please Direct All Correspondence to Customer Number 20995

SECOND NOTICE OF APPEAL

Applicants

: Fraenkel, et al.

App. No

: 10/057,295

Filed

: October 19, 2001

For

: POST-DEPLOYMENT

MONITORING AND

ANALYSIS OF SERVER PERFORMANCE

Examiner

: Michael Young Won

Confirmation No. : 1983

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated October 23, 2006 rejecting Claims 1-39.

The fee calculation is shown below.

FEE TYPE	FEE CODE & AMOUNT	AMOUNT PREVIOUSLY PAID	DIFFERENCE (AMOUNT DUE)
Notice of Appeal 41.20(B)(1)	1401 (\$500)	\$500.00	\$0
TOTAL FEE DUE:			\$0

Docket No.: MERCURY.140A2 App. No.: 10/057,295

November 14, 2006 Page 2 of 2

Please Direct All Correspondence to Customer Number 20995

The Commissioner has been authorized through the electronic filing system to charge any additional fees, and to credit any overpayment, to Deposit Account No. 11-1410.

Dated: November 14, 2006

Ronald J. Schoenbaum Registration No. 38,297

Attorney of Record Customer No. 20,995 (949) 760-0404

3112389\dns

111406